

REMARKS

Claims 1, 3-18, 20-35, 37-38 are now present in this application. Claims 1, 18, and 35 are independent. No claims have been canceled, no claims have been added, and claims 1, 18, and 35 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Claim Rejection - 35 U.S.C. § 103(a)

Claims 1, 3-11, 13-14, 17-18, 20-28, 30-31, 34-35, and 37-38 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Yamamoto (U.S. Patent Publication No. 2004/0008373) in view of Okada (U.S. Patent No. 7,046,853) and in further view of Enokida et al. (U.S. Patent No. 6,335,746). Claims 12 and 29 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Yamamoto, Okada, and Enokida in view of Aiyama (U.S. Patent Publication No. 2002/0076245). Claims 15-16 and 32-33 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Yamamoto, Okada, and Enokida in view of Menich (U.S. Patent Publication No. 2003/0187632). Applicants respectfully traverse these rejections.

Argument: Features of claims 1, 18, and 35 not disclosed by cited prior art

Applicants have amended independent claims 1, 18, and 35 merely to further clarify the claimed invention in order to move prosecution forward. Independent claims 1, 18, and 35 have been amended to include additional limitations. For example, independent claim 1 as amended recites, *inter alia*, “an outline presenting information creation unit creating, using a processor, outline presenting information corresponding to each of the plurality of image data in parallel; and a presentation unit presenting said created outline presenting information, wherein said presentation unit presents alternative information in stages before completion of said outline presenting information creation process,...and said outline presenting information is presented by the presentation unit in place of said alternative information when said outline presenting information creation process is completed.”

Therefore, the claimed invention includes the following features that the prior art fails to disclose:

- i. a plurality of outline presenting information is created at the same time; and
- ii. presentation is achieved in stages, when outline presenting information of image data is created.

Argument 1A: Features of the claimed invention not disclosed by cited prior art

More specifically, the claimed invention includes the feature of “creating...outline presenting information corresponding to each of the plurality of image data in parallel; and a presentation unit presenting said created outline presenting information” and thus, the claimed invention including the feature that a plurality of outline presenting information is created at the same time.

The Examiner relies on Yamamoto for allegedly disclosing this feature in paragraph 11. (See Office Action, page 4, lines 1-2.) However, in paragraph 11, Yamamoto fails to disclose that a plurality of outline presenting information is created at the same time or simultaneously. Yamamoto merely discloses that an “image processing device comprising: a first e-mail receiving means for receiving first e-mail having an attachment file; an image forming means for forming images for said attachment file; [and] a second e-mail receiving means for receiving second e-mail, which contains online location information of equipment pertaining to another transmission destination of said first e-mail and a transfer request for transferring said attachment file, from said another transmission destination.” (See Yamamoto, paragraphs 11 and 79, and step S204 of Figure 5.) The Examiner asserts that the disclosed “forming” of the image data is allegedly performed on the images simultaneously.

However, Yamamoto fails to explicitly disclose that the “forming” of the image data is performed on the images simultaneously (and thus, at the same time) because, at most, Yamamoto merely discloses a first e-mail receiving means for receiving first e-mail and a second e-mail receiving means for receiving second e-mail without any disclosure of simultaneously processing. Thus, Yamamoto fails to explicitly disclose a plurality of outline presenting information is created at the same time as recited in independent claim 1. Further, Okada and Enokida fail to make up for the deficiencies of Yamamoto.

Argument 1B: Features of the claimed invention not disclosed by cited prior art

Further, the claimed invention includes the features that “a presentation unit presenting said created outline presenting information, wherein said presentation unit presents alternative information in stages before completion of said outline presenting information creation process,...and said outline presenting information is presented by the presentation unit in place of said alternative information when said outline presenting information creation process is completed” and thus, presentation is achieved in stages, when outline presenting information of image data is created. Yamamoto also fails to explicitly disclose this feature.

At most, Yamamoto discloses selecting information that includes a plurality of image data based on Yamamoto stating that the user, by pressing a start key, selects an image to be scanned and stored as image data. (See Yamamoto, paragraph 78.)

Further, Okada merely discloses “an image decoding method...[that] includes: generating an intermediate image by decoding gradually coded image data which are generated by coding an original image; discontinuing the generating the intermediate image, in accordance with a processing capacity at any point of a decoding to an outputting thereof; and utilizing, as a final decoded image, an intermediate image obtained at the time of the discontinuing.” (See Okada, lines 6-14 of col. 2.)

Lastly, Enokida merely discloses “an information processing method for managing image data files by a file system having a hierarchical tree structure in which directories and files are placed under another directory, comprising a first generating step of generating a thumbnail image on the basis of each image data file that belongs to a desired directory.” (See Enokida, lines 48-61 of col. 3.)

However, none of the cited references disclose that presentation is achieved in stages, when outline presenting information of image data is created, as recited in the claimed invention.

Claim 1 as amended is submitted to be allowable over Yamamoto, Okada, and Enokida for at least the above reasons.

Independent claims 18 and 35 are allowable for similar reasons as set forth above in reference to independent claim 1.

Dependent claims 3-17, 20-34, 37-38 are allowable for the reasons set forth above with regards to the independent claims at least based on their dependency on the independent claims.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 3-18, 20-35, 37-38 under 35 U.S.C. § 103(a).

Reconsideration and allowance of claims 1, 3-18, 20-35, 37-38 are respectfully requested for at least the above reasons.

Conclusion

Therefore, for at least these reasons, all claims are believed to be distinguishable over the combination of Yamamoto, Okada, and Enokida, individually or in any combination. It has been shown above that the cited references, individually or in combination, may not be relied upon to show at least these features. Therefore, claims 1, 3-18, 20-35, 37-38 are distinguishable over the cited references.

In view of the above remarks and amendments, it is believed that the pending application is in condition for allowance.

Applicants respectfully request that the pending application be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Aslan Ettehadieh (Reg. No. 62,278) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

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